

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA, :  
Plaintiff, :  
v. :  
NICHOLAS P. DUTY, :  
Defendant. :  
: CASE NO. 2:24-cr-60  
: CHIEF JUDGE SARAH D. MORRISON

**MOTION OF DEFENDANT TO CONTINUE TRIAL DATE AND ALL  
SCHEDULING ORDER DEADLINES**

Now comes Defendant, Nicholas P. Duty, by and through Counsel Mark C. Collins and Kaitlyn C. Stephens, who hereby requests at least a sixty (60) to ninety (90) day continuance of the trial date, as well as all scheduling order deadlines. The Government is in agreement with said request and the Defendant continues to waive time. The reasons in support of this motion are set forth in the following memorandum in support.

Respectfully submitted,

/s/ Mark C. Collins  
**MARK C. COLLINS (0061207)**

/s/ Kaitlyn C. Stephens  
**KAITLYN C. STEPHENS (0095589)**

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*Attorneys for Defendant, Nicholas P. Duty*

**MEMORANDUM IN SUPPORT**

Now comes the Defendant, Nicholas P. Duty, by and through his attorneys, Mark C. Collins, and Kaitlyn C. Stephens, and hereby requests a sixty (60) to ninety (90) day continuance of the trial date and all scheduling order deadlines. Defense Counsel is presently engaged in the process of negotiations with the Government of the United States to avoid a superseding indictment, whereby, Defense Counsel and the Government both need additional time to continue providing reciprocal discovery and to then examine the total discovery packet during this process. Therefore, due to the voluminous amount of discovery for both sides to assess, a continuance would allow interests of justice to be served. Defendant, by and through Counsel, hereby continues to waive speedy trial rights in the above-styled case.

Therefore, Defense Counsel formally moves to continue the instant matter currently set before this Honorable Court on October 7, 2024. Based on the interests of justice, said request to continue the trial date, and all scheduling order deadlines, in this case is consented and agreed by Assistant United States Attorneys, Kevin Kelley, and Emily Czerniejewski.

Respectfully submitted,

/s/ Mark C. Collins  
**MARK C. COLLINS (0061207)**

/s/ Kaitlyn C. Stephens  
**KAITLYN C. STEPHENS (0095589)**

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*Attorneys for Defendant, Nicholas P. Duty*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2024, I electronically filed the foregoing document using the CM/ECF System, which will send notification of such filing to **Assistant United States Attorneys, Kevin Kelley, and Emily Czerniejewski.**

*/s/ Mark C. Collins*  

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MARK C. COLLINS (0061207)